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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/054,333	01/23/2002	Eric Hoffman	K2T-8 4864	
7590 02/27/2004			EXAMINER	
Ansel M. Schwartz			BUCZINSKI, STEPHEN C	
Suite 304 201 N. Craig St	treet		ART UNIT	PAPER NUMBER
Pittsburgh, PA 15213			3662	
			DATE MAILED: 02/27/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Advisory Action	10/054,333	HOFFMAN ET AL.	
Advisory Action	Examiner	Art Unit	
	Stephen C. Buczinski	3662	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence address	
THE REPLY FILED 16 January 2004 FAILS TO PLACE Therefore, further action by the applicant is required to average final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114.	oid abandonment of this application at the comment which a timely filed amendment which	ition. A proper reply to a places the application in	
PERIOD FOR RE	PLY [check either a) or b)]		
a) The period for reply expiresmonths from the mailinb) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offictimely filed, may reduce any earned patent term adjustment. See 37 C	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF THE date on which the petition under 37 CFI of extension and the corresponding amount the shortened statutory period for reply the later than three months after the mail	g date of the final rejection. IE FINAL REJECTION. See MPEP R 1.136(a) and the appropriate extension on the fee. The appropriate extension originally set in the final Office action; or	
 1. A Notice of Appeal was filed on 16 January 2004. A 37 CFR 1.192(a), or any extension thereof (37 CFF 2. The proposed amendment(s) will not be entered be 	R 1.191(d)), to avoid dismissal of		
		oo NOTE bolow):	
(a) they raise new issues that would require further that they raise the issue of new matter (see Note by	•	see NOTE below),	
(b) ☐ they raise the issue of new matter (see Note b(c) ☐ they are not deemed to place the application in		rially reducing or simplifying the	
issues for appeal; and/or	,,		
(d) they present additional claims without cancelNOTE:	ng a corresponding number of fi	nally rejected claims.	
3. Applicant's reply has overcome the following reject	ion(s):		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	parate, timely filed amendment	
5.⊠ The a) affidavit, b) exhibit, or c) request for application in condition for allowance because: See		dered but does NOT place the	
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY to	o issues which were newly	
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we			
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed: Claim(s) objected to:			
Claim(s) rejected:			
Claim(s) withdrawn from consideration:			
8. The drawing correction filed on is a) appr			
9. Note the attached Information Disclosure Statemer		·	
10. ☐ Other:	n Bueginski		
	TEPHEN C. BUCŽINSKI PRIMARY EXAMINER	Stephen C. Buczinski Primary Examiner Art Unit: 3662	

Continuation of 5. does NOT place the application in condition for allowance because: While the issue of enablement of the claimed features still exists for claims 14-22 along with the obviousness issue of claims 1-6 and 8-13, the new matter issue for 125,000 discrete data points per second in claims 1 and 8, and the processing of claims 14-22 is withdrawn. However, how claims 14 operate remain unclear sd in the specification from where the limitations came and for not clearly being stated under the second paragraph of 35 USC 11 as in the rejection of record. Also, the drawings do not show the features of claim 14 which lends to their inscrutability.

STEPHEN C. BUCZINSKI PRIMARY EXAMINER

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